

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

HIGHER POWER ELECTRICAL, LLC

Plaintiff

VS.

HUNTER STEELE

Defendant

Civil No.: 24-

RE:

UNJUST ENRICHMENT

**DEFENDANT HUNTER STEELE’S NOTICE OF REMOVAL OF ACTION TO THE
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF PUERTO RICO
UNDER 28 U.S.C. § 1441(b), 28 U.S.C. § 1446, 28 U.S.C. § 1331 (FEDERAL QUESTION)**

TO THE HONORABLE COURT:

COMES NOW Defendant Hunter Steele, by and through his undersigned counsel, and pursuant to 28 U.S.C. §§ 1331, 1338(a) and 1441 and removes this action from state court to federal court pursuant to 28 U.S.C. § 1446. Defendant appears for the purpose of removal only and reserve all defenses available to him and states as follows:

State Court Action

1. On August 28, 2024, Plaintiff Higher Power Electrical, LLC (“Plaintiff”) initiated an action pending before the Court of First Instance, San Juan Part, Puerto Rico, styled *Higher Power Electrical, LLC v. Hunter Steele* Case No. SG2024CV07971(the “Complaint”). See Exhibit 1, Summons and Complaint. Plaintiff filed that action on August 28, 2024 and served

Mr. Steele on Saturday September 7, 2024.

Nature of Plaintiffs' Action

2. Plaintiff alleges in the Complaint that it over paid Mr. Steele and is entitled be compensated because Steele was overpaid.

BASIS FOR REMOVAL

3. Federal Question Jurisdiction. This Court has original jurisdiction over this Action pursuant to 28 U.S.C. §§ 1331, 1338(a) and 1441 in that Plaintiff's new lawsuit is actually an act of retaliation under the Fair Labor Standards Act, which stems from the prior arbitrator's decision.

4. These parties' claims are being heard as part of an arbitration process in which a 92 page decision as to liability on March 4, 2024. A hearing as to damages is to be scheduled in that matter. *See* Exhibit 2, Copy of the Decision. Apparently dissatisfied with the arbitrator's decision and seeking an end run around it, Plaintiff filed the attached Complaint in the Superior Court of San Juan.

CONCLUSION

5. Defendant ask this Court to accept jurisdiction over this matter and dismiss it so that the American Arbitration Association can resolve the pending matter of damages.

6. By this Notice of Removal and the associated attachments, Defendant Steele does not waive any objections he may have as to service, jurisdiction or venue, or any other defenses or objections they may have to this action. Defendant Steele intends no admission of fact, law or liability by this Notice, except as required to establish this Court's subject matter jurisdiction, and they expressly reserve all defenses, motions and/or pleas. Defendant Steele requests that the Complaint be removed to this Court and dismissed and referred to the

arbitration proceedings, that all further proceedings in the state court be stayed, and that Defendant Steele receive all additional relief to which he is entitled.

WHEREFORE, in light of the foregoing, Defendant Hunter Steele hereby respectfully request this Honorable Court to remove the above-captioned case to this Court.

RESPECTFULLY SUBMITTED

In San Juan, Puerto Rico this 9th day of October 2024.

I HEREBY CERTIFY: That I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, and will served a copy of this notice on counsel for Plaintiff, , and will file a copy of this notice with the Clerk of the General Court of Justice First Instance Superior Court of San Juan.

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